

**FILED**

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**Board of Vocational Nursing  
and Psychiatric Technicians**

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**BEFORE THE  
BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the First Amended Accusation  
Against:

Case No. VN 2007 352

**FIRST AMENDED ACCUSATION**

**OSVALDO RANGEL, AKA OSVALDO  
RANGEL RAMIREZ  
1114 E. Wilson Avenue, Apt. 1  
Glendale, CA 91206  
Vocational Nurse License No. VN 200101**

Respondent.

Complainant alleges:

**PARTIES**

1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) brings this First Amended Accusation solely in her official capacity as the Executive Officer of the Board of Vocational Nursing and Psychiatric Technicians, Department of Consumer Affairs (Board).

2. On or about June 25, 2002, the Board of Vocational Nursing and Psychiatric Technicians issued Vocational Nurse License Number VN 200101 to Osvaldo Rangel, aka Osvaldo Rangel Ramirez (Respondent). The Vocational Nurse License was in full force and effect at all times relevant to the charges brought herein and will expire on September 30, 2011, unless renewed.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Conviction of Crime Substantially Related to Practice)**

3 8. Respondent is subject to discipline under Code section 2878, subdivision (f), and in  
4 that Respondent has been convicted of the following crime that is substantially related to the  
5 qualifications, functions or duties of a licensed vocational nurse:

6 a. On November 25, 2009, in the Superior Court, County of Los Angeles, in the case  
7 entitled *People of the State of California vs. Osvaldo Ramirez*, Case No. 9CA11466, Respondent  
8 was convicted by the court of one count of violating Penal Code section 602 subdivision (k)  
9 (trespassing), a misdemeanor. The circumstances are that Respondent engaged in unacceptable  
10 behavior in a public place as follows:

11 On or about September 10, 2009, Los Angeles Police Department (LAPD) vice officers  
12 were working undercover in an area of Elysian Park because of citizen complaints of lewd  
13 conduct. During this surveillance, police officers observed and arrested Respondent for exposing  
14 his penis and masturbating in plain view of them. Respondent was charged with lewd conduct  
15 which was later dropped to a conviction of trespass in a plea bargain based upon Respondent's  
16 claim that he was not committing a lewd act, but rather, urinating in the park because he could not  
17 find a rest room.

18 **SECOND CAUSE OF DISCIPLINE**

19 **(Commission of Act Punishable as a Sexually Related Crime)**

20 9. Respondent is subject to disciplinary action under section 2878, subdivisions (a) and  
21 (k) of the Code, on the grounds of unprofessional conduct in that Respondent committed an act  
22 punishable as a sexually related crime which is substantially related to the qualifications,  
23 functions, or duties of a licensed vocational nurse.

24 **THIRD CAUSE FOR DISCIPLINE**

25 **(Gross Negligence/Unprofessional Conduct)**

26 10. Respondent is subject to disciplinary action under Code section 2878, subdivision (a),  
27 on the grounds of unprofessional conduct, as defined in section 2878, subdivision (a)(1), of the  
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1 Code, in that from January, 2007 through July, 2007, while employed by Kaiser Permanente, as a  
2 licensed vocational nurse, Respondent was grossly negligent in the following respects:

3 a. On or about January 18, 2007, Respondent practiced outside the scope of a licensed  
4 vocational nurse by advising a patient that his medical doctor would send a referral to the Head  
5 and Neck Clinic after he had finished an ear washing procedure on the patient, when in fact,  
6 Respondent had not received a referral for this patient by any physician.

7 b. On or about February 28, 2007, Respondent practiced outside the scope of a licensed  
8 vocational nurse by assessing an Alzheimer patient as being combative and failing to perform an  
9 ear wash on the patient without reporting it to the attending physician.

10 c. On or about March 2, 2007, Respondent misrepresented himself to a patient as a  
11 Clinical Nurse Specialist in Public Health when, in fact, he did not hold any such title, position, or  
12 current certification for such title.

13 d. On or about July 5, 2007, Respondent misrepresented himself on Kaiser Permanente  
14 stationery as holding a Certification in Emergency Nursing and TNCC which he intended to send  
15 to a patient instructing the patient(s) to have his or her blood drawn prior to receiving varicella  
16 vaccine. Respondent was not authorized by Kaiser to prepare or send these letters. Additionally,  
17 Respondent signed the letters with his name followed by "CCLVN, CEN, TNCC, and ADN",  
18 although he did not possess any current certification for such title.

19 e. On July 6, 2007, a patient was sent to the clinic with a physician's order for for an  
20 injection of tetanus toxoid. Respondent performed a physical exam on the patient, including the  
21 lymph nodes of the neck, axillae, and groin area. On completion of the exam, Respondent made  
22 an assessment and diagnosis, and decided to withhold the injection without receiving physician  
23 orders to do so. Respondent instructed the patient to return in one to two weeks when his viral  
24 infection was gone. Respondent failed to notify the RN or physician about his findings.

25 f. On July 2, 2007, at 2:41 PM, Respondent documented that he gave a patient 200 mg  
26 of testosterone by injection. The physician order was for 100 mg of Testosterone IM every two  
27 weeks.

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2 **FOURTH CAUSE FOR DISCIPLINE**

3 **(Incompetence/Unprofessional Conduct)**

4 11. Respondent is subject to disciplinary action under Code section 2878, subdivision (a),  
5 on the grounds of unprofessional conduct, as defined in section 2878, subdivision (a)(1), of the  
6 Code, in that from January, 2007 and through July, 2007, while employed by Kaiser Permanente,  
7 as a licensed vocational nurse, Respondent was incompetent as set forth above in paragraph 10.

8 **FIFTH CAUSE FOR DISCIPLINE**

9 **(Failed to Safeguard Client's Health and Safety)**

10 12. Respondent is subject to disciplinary action under Code section 2878, subdivision (a),  
11 and California Code of Regulations, title 16, section 2518.6, subdivision (c), on the grounds of  
12 unprofessional conduct, in that Respondent failed to comply with California Code of Regulations,  
13 title 16, section 2518.6, subdivision (a), in that from January, 2007 through July, 2007, while  
14 employed by Kaiser Permanente, as a licensed vocational nurse, Respondent failed to safeguard  
15 patients/clients' health and safety as set forth above in paragraph 10.

16 **SIXTH CAUSE FOR DISCIPLINE**

17 **(Failed to Adhere to Standards of Practice)**

18 13. Respondent is subject to disciplinary action under Code section 2878, subdivision (a),  
19 and California Code of Regulations, title 16, section 2518.6, subdivision (c), on the grounds of  
20 unprofessional conduct, in that Respondent failed to comply with California Code of Regulations,  
21 title 16, section 2518.6, subdivision (b)(1), in that from January, 2007 through July, 2007, while  
22 employed by Kaiser Permanente, as a licensed vocational nurse, Respondent failed to adhere to  
23 ethical or behavioral standards as set forth above in paragraph 10.

24 **PRAYER**

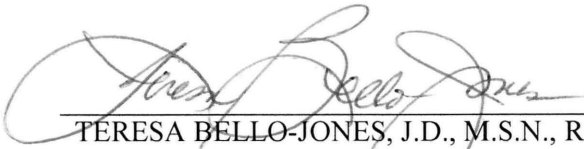
25 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
26 and that following the hearing, the Board of Vocational Nursing and Psychiatric Technicians  
27 issue a decision:  
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1           1.     Revoking or suspending Vocational Nurse License Number VN 200101, issued to  
2     Osvaldo Rangel, aka Osvaldo Rangel Ramirez;

3           2.     Ordering Osvaldo Rangel to pay the Board of Vocational Nursing and Psychiatric  
4     Technicians the reasonable costs of the investigation and enforcement of this case, pursuant to  
5     Business and Professions Code section 125.3; and

6           3.     Taking such other and further action as deemed necessary and proper.

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8     DATED: September 15, 2011

  
TERESA BELLO-JONES, J.D., M.S.N., R.N.  
Executive Officer  
Board of Vocational Nursing and Psychiatric Technicians  
Department of Consumer Affairs  
State of California  
*Complainant*

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